

PROPOSED AGENDA
PERSONNEL BOARD MEETING

October 12, 2012
9:30 a.m.

1. Call to Order
2. Reading of the Minutes of Regular Meeting held September 14, 2012
Minutes Signed
3. Executive Director and Secretary's Report
4. Report of the Personnel Cabinet
5. **Oral Arguments**
 - A. Monique Anthony v. Justice and Public Safety Cabinet (Corrections) (Request by Appellee)
 - B. Daymon Duvall v. Justice and Public Safety Cabinet (Corrections) (Request by Appellant) **Moved from September**
 - C. Michelle Crowe v. Justice and Public Safety Cabinet(Juvenile Justice) (3 appeals) – (Request by Appellant)
 - D. John Grevious v. Justice and Public Safety Cabinet (Corrections) (Request by Appellee)
 - E. Warren McElmore v. Justice and Public Safety Cabinet (Corrections) (Request by Appellant)
6. **Motions**
 - A. Michael O'Brien v. Cabinet for Health and Family Services
Motion to File Late Exceptions by Appellee
7. **Investigations**
 - A. Department of Agriculture – request by Steve Alvey
--Additional Information provided by Alvey
 - B. Department of Agriculture – request by Thaddeus Price
--Response by Department of Agriculture
8. **Closed Session**

9. **Open Session**

10. **Cases to be Decided**

- A. Monique Anthony v. Justice and Public Safety Cabinet (Corrections) --
(Demotion – appeal sustained to the extent of demotion to Sergeant)
--Appellee’s Exceptions and Request for Oral Argument
--Appellant’s Response to Exceptions
- B. Daymon Duvall v. Justice and Public Safety Cabinet (Corrections) (3-day
suspension -- appeal dismissed)
--Appellant’s Exceptions and Request for Oral Argument
- C. Michelle Crowe v. Justice and Public Safety Cabinet (Juvenile Justice) (3 appeals)
– (Suspension, one day; discrimination – appeal dismissed)
--Appellant’s Exceptions and Request for Oral Argument
--Appellee’s Response to Appellant’s Exceptions
- D. John Grevious v. Justice and Public Safety Cabinet (Corrections) – (Demotion –
appeal sustained to the extent of changing demotion to 10-day suspension)
--Appellee’s Exceptions and Request for Oral Argument
--Appellant’s Response to Exceptions
- E. Warren McElmore v. Justice and Public Safety Cabinet (Corrections) (Show
Cause Order)
--Appellant’s Response and Request for Oral Argument
- F. Robert Dickow v. Tourism, Arts and Heritage Cabinet (Parks) (constructive
discharge – appeal sustained) **DEFERRED FROM SEPTEMBER**
--Appellee’s Exceptions (oral argument request untimely)
--Appellant’s Response to Exceptions
- G. Frank Derr v. Justice and Public Safety Cabinet (Juvenile Justice) – 2 appeals –
(10- and 15-day suspensions – appeals dismissed)
- H. Harry Loudon v. Justice and Public Safety Cabinet (Corrections) and Personnel
Cabinet – (Probationary dismissal – appeal dismissed, no jurisdiction)
- I. Michael O’Brien v. Cabinet for Health and Family Services – (Directed sick leave
– sustained to the extent of returning leave)
--Appellee’s Exceptions and Request for Oral Argument (returned as
untimely)
- J. Jerome Penick v. Transportation Cabinet and Erbie Tim McNutt – (Promotion –
appeal dismissed)
- K. John Rankin v. Tourism, Arts, and Heritage Cabinet (State Fair Board) and
Personnel Cabinet – (overtime/comp time issue (appeal dismissed))

Show Cause Orders – No Response Filed – Appeals Dismissed

- L. Mark Brown v. Justice and Public Safety Cabinet (Corrections)
- M. Matthew King v. Education and Workforce Development Cabinet and Personnel Cabinet
- N. Lisa Papineau v. Cabinet for Health and Family Services

11. Withdrawals

- A. Sue Alexander v. Cabinet for Health and Family Services
- B. Stuart Fanning v. Tourism, Arts and Heritage Cabinet (Fish and Wildlife) – 2 appeals
- C. Jenny Howard v. Cabinet for Health and Family Services (2 appeals)
- D. Mary Elaine Jett v. Education and Workforce Development Cabinet
- E. Kenneth Joyce v. Energy and Environment Cabinet
- F. Samantha O’Daniel v. Justice and Public Safety Cabinet (DPA) and Personnel Cabinet
- G. David K. Stidham v. Justice and Public Safety Cabinet (Corrections)
- H. Thomas Waters v. Justice and Public Safety Cabinet (Corrections) – 2 appeals

12. Settlements

- A. Clela G. Haywood v. Finance and Administration Cabinet

13. Other

- A. Election of Officers